

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
August 12, 2014 – 5:00 PM**

MINUTES APPROVED
By: DIANE ADAMS
Seconded: TODD STAHELI
Date: 1/13/15

PRESENT:

Commissioner Ro Wilkinson
Commissioner Don Buehner
Chairman Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Julie Hullinger
Commissioner Todd Staheli

CITY STAFF:

Development Services Manager Wes Jenkins
City Surveyor Todd Jacobsen
Planner II Ray Snyder
Assistant City Attorney Victoria Hales
Administrative Secretary Genna Singh

EXCUSED:

Chairman Ross Taylor
Council Member Joe Bowcutt
Community Development Coordinator Bob Nicholson

FLAG SALUTE

Chairman Pro Tem Nathan Fisher called the meeting to order at 5:01 pm and asked Commissioner Don Buehner to lead the flag salute.

1. **FINAL PLATS (FP)**

- A. Consider approval of a final plat for “**Cornerstone Phase 1**” an eighteen (18) lot residential subdivision. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at the southwest corner of the intersection at Seegmiller Drive and 3000 East Street. Case No. 2014-FP-045. (Staff – Todd J.).
- B. Consider approval of a final plat for “**Meadow Valley Farms Phase 4**” a sixteen (16) lot residential subdivision. The representative is Brad Petersen, Development Solutions. The property is zoned RE-20 (Residential Estates 20,000 sq. ft. minimum lot size) and is located at 3910 South Street and 2420 East Street (Little Valley area). Case No. 2014-FP-041. (Staff – Todd J.).
- C. Consider approval of a final plat for “**Riverside Cliffs Phase 2**” an eight (8) lot residential subdivision. The representative is Mr. Rob Reid, Rosenberg Associates. The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) and

is located at approximately 1220 South (between the Virgin River and Riverside Drive). Case No. 2014-FP-046. (Staff – Todd J.).

- D. Consider approval of a final plat for **“Sage Meadows Phase 3”** an eighteen (18) lot residential subdivision. The representative is Mr. Scott Woolsey, Alpha Engineering. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at 2940 East and approximately 1880 South (north of Crimson View Elementary School). Case No. 2014-FP-040. (Staff – Todd J.).
- E. Consider approval of a final plat for **“The Garages at Sun River Storage Phase 1”** a sixteen (16) unit subdivision final plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-C & PD-R (Planned Development Commercial and Residential) and is located west of Fire Station 8, which is on Bluegrass Way at approximately 1150 West (Sun River Development). Case No. 2014-FP-026. (Staff – Todd J.)

Todd Jacobsen added that as far as the water for the garages – there will be one meter per two units for the garages.

Commissioner Diane Adams asked how many lots are being approved for Riverside Cliffs Phase 2. Todd Jacobsen said 22 lots as shown not the 8 that is written in the text.

Assistant City Attorney Victoria Hales added that the items are subject to legal approval.

MOTION: Commissioner Julie Hullinger made a motion to approve Items 1A through 1E conditioned upon legal approval and authorize chairman to sign.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes.

FINAL PLATS (FP) ADDENDUM 1

- F. Consider approval of a final plat for **“Sun River St. George Phase 44”** a twenty-three (23) unit subdivision final plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located east of Pearl Vista Drive and south of Angel Arch Dr at approximately 1400 West and 5000 South (Sun River Development). Case No. 2014-FP-032. (Staff – Todd J.)

- G. Consider approval of a final plat for **“Sun River St. George Phase 45”** a twenty-four (24) unit subdivision final plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located east of Pearl Vista Drive and south of Angel Arch Dr at approximately 1400 West and 5100 South (Sun River Development). Case No. 2014-FP-033. (Staff – Todd J.)
- H. Consider approval of a final plat for **“Jiffy Lube at River Road”** a one (1) lot commercial subdivision final plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-C (Planned Development Commercial) and is located at 1393 South River Road. Case No. 2014-FP-036. (Staff – Todd J.)

Chairman Pro Tem Nathan Fisher asked if we just approved the Preliminary Plat for Jiffy Lube. Todd Jacobsen said yes.

Commissioner Diane Adams asked if approval is conditioned upon legal review.

Assistant City Attorney said the items are subject to legal review.

MOTION: Commissioner Diane made a motion to accept Addendum 1 for Items F,G, and H subject to legal approval and authorize chairman to sign.

SECONDED: Commissioner Todd Staheli seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion carries.

FINAL PLATS (FP) ADDENDUM 2

- I. Consider approval of a final plat for **“Las Colinas Phase 4”** a seven (7) lot residential subdivision final plat. The representative is Mr. Brad Peterson, Development Solutions. The property is zoned PD-R (Planned Development Residential) and is located at Las Colinas Dr and 890 West Circle. Case No. 2014-FP-049. (Staff – Todd J.)

Todd Jacobsen added that there is an existing trail and sewer that has been dedicated to the City.

Assistant City Attorney said this item is also subject to legal review.

Commissioner Don Buehner asked if this is for only lots 402 and 407.

Todd Jacobsen said it's for all 7 lots.

MOTION: Commissioner Don Buehner made a motion to approve subject to legal review, Item 1I and authorize chairperson to sign.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion carries.

2. PRELIMINARY PLAT (PP)

- A. Consider approval of a preliminary plat for **“Desert Crest”** a sixteen (16) lot residential subdivision. The applicant is Quality Development LLC and Mr. Ken Miller is the representative. The property is on 4.625 acres and is zoned PD-R (Planned Development Residential) and is located south of the Southern Parkway along South Desert Canyons Parkway. Case No. 2014-PP-032 (Staff Wes J.)

Wes Jenkins stated that for your reference the Desert Canyons overall zoning map is also on the wall. They have chosen to down zone this subdivision. On these subdivisions, as they come in, they are required to dedicate an area of 15% of the subdivision's area to open space.

Chairman Pro Tem Nathan Fisher asked if that 15% is within that subdivision or the overall project. Wes Jenkins said it can be the whole area. On the PD there are the architectural renderings of what the buildings will look like.

Chairman Pro Tem Nathan Fisher asked if there should also be a narrative.

Wes Jenkins responded that on this PD-R it's just the renderings. It is subject to legal review.

MOTION: Commissioner Ro Wilkinson made a motion to accept Item 2A the Preliminary Plat acknowledging that 15% must be dedicated to open space and subject to legal review.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion carries.

- B. Consider approval of a preliminary plat for **“Desert Rim”** a twenty-nine (29) lot residential subdivision. The applicant is Quality Development LLC and Mr. Ken Miller is the representative. The property is on 11.87 acres and is zoned PD-R (Planned

Development Residential) and is located south of the Southern Parkway off of Desert Canyons Parkway. Case No. 2014-PP-033 (Staff Wes J.)

Wes Jenkins said the road there is designated as a 66' road. They will also need to dedicate 15% open space and it will fall within the green area of the overall plan.

Chairman Pro Tem Nathan Fisher clarified that it's not all of the green area. Does each subdivision take part of that area?

Wes Jenkins answered that they pull from that area. The lots on the 66' road will have to have a circular drive. There is a fair amount of grading. Between Deserts Edge and Desert Rim there is an elevation change between 10' and 20'.

Chairman Pro Tem Nathan Fisher asked about the renderings for this plat.

Wes Jenkins said it's the same as the previous plat.

Commissioner Ro Wilkinson questioned how the grade change will affect the lower lots and how the water run-off is accounted for.

Wes Jenkins stated that they'll have to address the slopes to make sure they're stable and they'll have to account for erosion as well.

Commissioner Diane Adams asked how many residences are planned in this area.

Wes Jenkins replied that the number has changed due to developer preference. They have chosen to down zone due to market conditions for their densities. You'll have fewer units out there now than the original plan.

Assistant City Attorney Victoria Hales added that this is subject to legal approval.

MOTION: Commissioner Diane Adams made a motion to accept Item 2B for approval for Desert Rim subject to legal approval.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes.

3. **ZONE CHANGE(ZC) PUBLIC HEARING**

Consider a zone change from A-1 (Agricultural 40,000 sq. ft. minimum lot size) and RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) to RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) on 46.67 acres. The property is located between 2580 East

and 2790 South and the River Hollow Subdivision. The applicant is **MK Cox Development** and Rosenberg Associates is the representative. Case No. 2014-ZC-010. (Staff – Ray S.)

Ray Snyder stated the majority of the subject land is A-1. A part of it is RE-12.5. It looks to be a straight forward zone change.

Commissioner Ro Wilkinson noted that letters were sent to surrounding property owners. Were there any comments?

Ray Snyder said that no neighborhood comments were received or heard.

Chairman Pro Tem Nathan Fisher asked the applicant, Skyler, why it's all going RE-20. Skyler Lawrence said we thought that would give us the most flexibility with what we want to do. There is a large home there that we would like to preserve the value of that home and we envision the larger lots.

Assistant City Attorney Victoria Hales reminded the commission that this is a public hearing.

Chairman Pro Tem Nathan Fisher opened the item up to the public for comments.

There were no public comments.

Chairman Pro Tem Nathan Fisher closed the item.

MOTION: Commissioner Don Buehner made a motion to recommend to City Council approval of Item 3, a zone change for MK Cox Development.

SECONDED: Commissioner Julie Hullinger seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes.

4. **CONDITIONAL USE PERMITS (CUP)**

- A. Consider a request for a Conditional Use Permit to use a **Landmark Site** (The Julia Graff Home) for a vacation rental. The property is located at 252 N Main Street and is zoned RCC (Residential Central City). The applicants are Mr. and Mrs. David Walker. Case No. 2014-CUP-015 (Staff – Ray S).

Note: Reference recent landmark designation approval by CC on 7/17/14.

Ray Snyder presented the following:

City Council recently approved this as a landmark home. Now they want to use it as a vacation rental, bed and breakfast type use. This is located behind the Opera House. It was built in 1870 and there is already a plaque there describing the property. There are several other Landmark Sites that operate as vacation rentals or bed and breakfasts. The house is located in an RCC zone and it is allowed according to code. 10-7-F2 says any permitted conditional or accessory allowed under article B is allowed in the RCC zone. Section 10-21-3 seemed to pertain to this which is why they are listed in your packet. If the conditional use permit is recommended for approval it will need to have the findings associated. Items A-K – most not applicable. Item G the height won't change. J – they must maintain the historical character of the home.

Chairman Pro Tem Nathan Fisher asked if, for the bed and breakfast, the owner must reside on the property.

Ray Snyder said that he will have to find out if that is their intent; it may be subject to legal review.

Commissioner Don Buehner asked if there is a difference between short term rentals and bed and breakfasts.

Assistant City Attorney Victoria Hales said that legal will look into it.

Chairman Pro Tem Nathan Fisher asked if we should make a motion subject to legal review or wait for legal to advise the Commission.

Assistant City Attorney Victoria Hales said that it's up to the Commission.

Chairman Pro Tem Nathan Fisher noted that it would be faster for the applicant if we made the motion subject to legal tonight so they didn't have to come back to another Planning Commission meeting.

Assistant City Attorney Victoria Hales said that is correct.

Commissioner Todd Staheli agreed that the motion should be made tonight.

Chairman Pro Tem Nathan Fisher asked if there are any issues doing it that way.

Assistant City Attorney Victoria Hales said no because it's a recommendation to City Council. If there are issues we can address it at the City Council meeting.

Commissioner Ro Wilkinson noted that the minimum stay of 3 days is commendable.

Commissioner Don Buehner said that as far as parking is concerned; this home has the typical narrow driveway and can probably fit two cars. We don't want street parking but if it's a vacation rental for a single family it should be okay.

Ray Snyder stated that we don't know.

Commissioner Don Buehner said if multiple people stayed there it could be a problem.

Ray Snyder agreed.

Commissioner Don Buehner asked if there can be a condition that parking can only be on property.

Ray Snyder noted that when we site review we only look at on site parking not off site.

Chairman Pro Tem Nathan Fisher stated we can condition it. Any conditional use has to provide mitigation for potential problems. You can add it as a condition and it will go through legal and it can be addressed at City Council.

Assistant City Attorney Victoria Hales added there are other ordinances that raise some issues for a short term rental and it will all be under legal review.

Chairman Pro Tem Nathan Fisher asked what the width of the road that fronts the house is.

Wes Jenkins responded that Main Street is a 90' but the driveway is on 250 North.

Commissioner Diane Adams noted that there is the potential to have the on-site person who needs to live there stay above the garage.

Chairman Pro Tem Nathan Fisher said I know it's not an overlay zone but I think it has to have a 66' road to be considered for short term.

Assistant City Attorney Victoria Hales said that may not apply in this zone.

Chairman Pro Tem Nathan Fisher said if it's a spot item it seems there were conditions like the width of the road and neighbor approval. The street seemed to come up in Bloomington where the neighbors were okay but the street was too narrow. That might be something to look at.

Assistant City Attorney Victoria Hales said I'll have to look into it.

Chairman Pro Tem Nathan Fisher added that even a short term rental in normal residential zones have to meet certain criteria.

Ray Snyder said in 10-14-22D the requirements are listed: prohibited in residential zone unless meets requirements – D2A required to be located on 2+acre lot, contiguous to and fronts on a major collector or arterial street, etc.

Chairman Pro Tem Nathan Fisher noted that maybe this doesn't apply.

Assistant City Attorney Victoria Hales said that D1 and D2 may not apply so I'll have to look through it. It's possible that it may be premature.

Chairman Pro Tem Nathan Fisher said it looks like the main issue is ordinance compliance. We can move forward and leave it up to legal and City Council which would allow the applicant to move forward and not wait for us.

Commissioner Don Buehner said I think it's fitting to move ahead with the motion and I suggest that finding E regarding safety also be listed to keep parking off the road so there are not traffic safety issues and then finding J to maintain the character of zone.

Chairman Pro Tem Nathan Fisher noted that the motion needs to account for mitigation of the concerns and how to mitigate.

MOTION: Commissioner Don Buehner made a motion to recommend to City Council approval of the conditional use permit with the specific conditions of E safety and recommend that any cars associated with this be parked in the driveway and not on the street and J to maintain the character and purpose of the zone that this is in keeping the concept of the area but needs to be subject to legal approval.

SECONDED: Commissioner Diane Adams seconded the motion.

Commissioner Todd Staheli asked if the condition of owner occupancy should be stated.

Chairman Pro Tem Nathan Fisher answered that legal can handle that as an ordinance issue.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion carries.

- B. Consider a request for a Conditional Use Permit to construct a **detached accessory structure** with a maximum ridge height of approximately eighteen feet two inches (18'-2") for a proposed RV / horse trailer / tractor storage building. The structure will be metal and have 1,050 sq. ft. (30 ft. x 35 ft.) The property is located at 3030 Sugar Leo in the Bloomington Ranches area and is zoned RE-37.5. The applicants are Mr. and Mrs. Danny Holt. Case No. 2014-CUP-016 (Staff – Ray S.)

Ray Snyder stated that the structure seems reasonable in this area. This structure won't match the house materials as most do in higher density areas.

Wendy Holt the structure will be the same color as the barn and the home.

Commissioner Don Buehner noted the colors you picked seem to be consistent but did you look at other materials?

Wendy Holt responded that cost was an issue. This can be done quickly. We want to place it where our horse trailer is now.

Commissioner Don Buehner asked if the applicant researched the difference between the metal and the material of your home.

Wendy Holt responded no.

Commissioner Ro Wilkinson asked if it is hidden towards the back of the property.

Wendy Holt said it's almost 200' back from the barn.

Commissioner Diane Adams asked if the path to the structure will be paved.

Wendy Holt answered that the structure will be on a cement pad and there's a road base path to it.

Assistant City Attorney Victoria Hales asked staff if the structure meets the setback requirements contained in City ordinance.

Ray Snyder said it will be 10' from the west property line.

Commissioner Don Buehner added that he is concerned that there are some metal structures out there but there are not many. I think the metal material is not in keeping with the overall look and feel of the area. I would encourage there to be some research into other options.

Chairman Pro Tem Nathan Fisher added that is concerned as well. Are there many metal structures out there? I know it will have the same color as the house but it'll be 18' high and a neighbor with a wall won't be able to block that. What other properties out there have metal structures?

Ray Snyder said staff will have to go out into the field to present that information.

Commissioner Don Buehner commented that he did drive around the area. Bloomington Elementary is near there and they have the metal face to the top but it has brick underneath and it ties into the greater building. There is metal out there but the elementary is the only newer looking one. There are many old ones but most have the same material as the home.

Ray Snyder commented that you can recommend denial or approval or table for time to research.

Chairman Pro Tem Nathan Fisher said we could also condition that City Council review the material.

Assistant City Attorney Victoria Hales noted that 10-7B-6B.8 states the exterior look shall be similar to the main structure. It is your decision if it is similar to the primary structure.

Commissioner Todd Staheli commented there are some buildings out there that are metal but you don't see it with the mature trees. My neighbor has a metal structure in his yard.

Commissioner Don Buehner asked if the structure has been there many years or if it is new.

Commissioner Todd Staheli replied it was there pre flood and then rebuilt post flood.

Commissioner Ro Wilkinson asked if the structure bothered Commissioner Staheli.

Commissioner Todd Staheli said not really because it's horse property out there.

Commissioner Ro Wilkinson stated that comment number 5 says the detached shall be metal with brown roof. So if it blends what difference does the material make?

Wendy Holt said there are quite a few there and they are the same colors but metal. They're all back behind the houses and protected by trees.

Chairman Pro Tem Nathan Fisher asked if they are all metal as well.

Wendy Holt responded yes.

Wendy showed the pictures to the Planning Commission on her phone

Don Buehner showed pictures on his phone

Wendy Holt added that they are hiring out not doing the work as owners.

Assistant City Attorney Victoria Hales corrected her previous statement noting that she was reading in the Residential code (7B) not the Residential Estates code (7A) so the similar materials requirement language is applicable.

Commissioner Don Buehner added that Sugar Leo is a beautiful area in the City and noted that should we send the recommendation to City Council I suggest you look at other options in case they raise the same questions.

MOTION: Commissioner Ro Wilkinson made a motion to accept the conditional use permit for the garage height and suggest that they look at other materials prior to City Council and base approval on comments from staff, commissioners, and legal counsel.

Chairman Pro Tem Nathan Fisher asked if the findings are addressed.

Commissioner Ro Wilkinson said yes, I accept those comments as well as the height.

SECONDED: Commissioner Julie Hullinger seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes.

- C. Consider a request for a Conditional Use Permit from 'Verizon Wireless' for permission to construct one (1) one hundred foot (100') high co-locatable wireless tower (mono pole

cell tower), to construct a block wall enclosure, and to install related multiple equipment enclosures as a conditional use under Section 10-22-5 of the Zoning Ordinance. The property is zoned M-1 (Industrial), is generally located in the original industrial park on Red Hills Parkway east of Industrial Road (APN SG-IND-P-18-B), and the project is referred to as **“Verizon – UT4 Motor Home.”** Case No. 2014-CUP-011 (Staff – Ray S.).

Ray Snyder presented the following:

The original proposal was for the southwestern corner and now it's for the southeastern corner which does put it closer to the freeway. They are requesting 100' tall. They have prepared photo simulations of the tower. We assume that the photos are to scale. They have given a signal strength analysis. There are minutes from June 10 when we last discussed this item.

Jared White (representative) – I believe the freeway picture is fairly accurate and to scale. If anything it errs in favor of you. There is a Qwest pole that is 130' tall that we looked into but cannot contract with. As far as coverage goes; these towers are capable of getting signal into here (addressing signal strength map) but as we continue to stretch the signals the towers are over capacity. This site increases the density of coverage in that surrounding area and offloads the surrounding three towers.

Chairman Pro Tem Nathan Fisher asked how tall the Qwest pole is.

Jared White responded about 130'.

Commissioner Diane Adams asked what color the pole will be.

Jared White said the pictures are as close as I could get to the freeway. The galvanized steel tends to blend in better. We also go with mono pole instead of lattice because it is thinner. This tower will be co-locatable for three other carriers.

Commissioner Todd Staheli clarified that even though galvanized is best it takes a while to look good.

Jared White said it takes at least 6 months of weathering for the steel to oxidize.

Commissioner Ro Wilkinson said one example of that would be on Dixie Road.

Ray Snyder it's a two-step process: you do the wireless master plan first and the location is a conditional use. You can talk to the applicant about why they chose the area.

Jared White said we can't look everywhere. We have to lease a space and owners don't like the pole in the front of their property. We try to stay out of parking and frontage areas. We planned to be on the west side but had to move to the east because of a power easement. We're not pretending the pole is small. We know it is 100' tall. We try to make it not intrusive. We're not that far away from sites that we already have so the location is key. We want as few towers as possible with the greatest outreach. We're trying to stay in that industrial area so the towers in that area can offload and the signal will be greater for all of those businesses and the freeways.

Chairman Pro Tem Nathan Fisher asked what color the Qwest pole is.

Jared White responded it is a grey white.

Chairman Pro Tem Nathan Fisher said I just pulled up a photo of the Qwest pole and it's not that visible. What's the purpose for lattice?

Jared White said we can build a lattice tower. They look less visible but they do look more industrial. That tower doesn't hold much and doesn't have the structural girth we need.

Chairman Pro Tem Nathan Fisher asked when you collocate will it have more on the pole.

Jared White answered we have lease agreements with other carriers. The tower is structurally capable. They would locate about 15' lower than our equipment.

Chairman Pro Tem Nathan noted that the tower will be more noticeable with co-locators.

Commissioner Todd Staheli asked if there are already other carriers who want to co-locate there.

Jared White responded no and typically you won't because they don't share that information prior.

Chairman Pro Tem Nathan Fisher asked if collocation was possible at Qwest had they not restricted access.

Jared White added that the structure wasn't capable of us locating there either.

Ray Snyder asked the applicant if they had looked at surrounding properties.

Jared White said we did look at some but this owner was the most responsive.

Chairman Pro Tem Nathan Fisher commented that closer to Century Link reduces the visual. It will be very prominent there so close to the freeway but it'll be less obvious there due to the light poles out there. It would be ideal to push it back to Century Link but this may be the best we can do.

Jared White noted that no one is here to oppose me.

Chairman Pro Tem Nathan Fisher countered that the federal statute does aid that. My concern is the look for the City but I also recognize that it is a busy area and an industrial area isn't that pretty to begin with.

Commissioner Diane Adams inserted that as we drive down the freeway you really won't be noticing it and that's the price we pay for relying so heavily on technology. There are much worse eyesores along our freeway.

Commissioner Todd Staheli asked if dropping calls in that area is normal.

Jared White responded that dropping calls is not as much as an issue as data speeds. Every site is driven by demand. The entire area has too much growth and demand for what exists.

Assistant City Attorney Victoria Hales read the legal standards regarding cell towers. You may consider the height, visual concerns such as color, is this the right place or location, do you have enough information about alternatives, and also if there are ways to locate in other areas with similar infrastructure or on top of buildings versus a monopole.

Commissioner Diane Adams asked if anyone wants something other than galvanized steel.

Commissioner Don Buehner added that the more typical the less likely we are to notice it. I think the applicant's knowledge is valid.

Chairman Pro Tem Nathan Fisher asked if Qwest would not allow collocation.

Jared White responded that was correct; their security was too prohibitive.

MOTION: Commissioner Todd Staheli made a motion to approve Item 4C with conditions D

**concerning galvanized steel, and the height not to exceed 100', and to include staff comments.
SECONDED: Commissioner Diane Adams seconded the motion.**

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes

Ro Wilkinson departed at 6:39 pm.

- D. Consider a request for a Conditional Use Permit from 'Verizon Wireless' for permission to construct one (1) one hundred foot (100') high co-locatable wireless tower (mono pole cell tower), to construct a block wall enclosure, and to install related multiple equipment enclosures as a conditional use under Section 10-22-5 of the Zoning Ordinance. The property is zoned C-3 (General Commercial), is generally located at approximately 2014 E +/- Riverside Drive (next to Towne Storage)(APN SG-5-2-28-2306), and the project is referred to as "**Verizon – UT4 Airplane.**" Case No. 2014-CUP-017 (Staff – Ray S.)

Ray Snyder presented the following:

The tower will be located almost in line with the end of the existing Towne Storage building. There is a photo simulation for the 100' tower. We don't know who the future property owner will be of the adjacent parcel. There was also another signal strength analysis submitted.

Jared White (applicant) commented the difference with this pole is that this is a weak coverage area. All towers are designed to offload from surrounding towers. The real problem in this area is that there are not towers. Blue areas are spotty coverage. This will help the "Campus" site but will mainly be for the development they are putting in now. As for the colors – green is good in-building coverage. Yellow is consistent in your car. Blue is likely to have coverage outside. If you're traveling it's more difficult because your signal has to jump towers.

Chairman Pro Tem Nathan Fisher added that this is an area that will become busier and more developed because of the bridge

Jared White noted that's what we're planning for.

Ray Snyder inserted that with the Mall Drive Bridge there are talks of high density residential and commercial in that area.

Jared White added that the current land owner there is also looking for commercial.

Chairman Pro Tem Nathan Fisher asked if that would be an issue for the tower later.

Jared White responded no, it's spelled out in the lease and would work in his favor for his buildings.

Chairman Pro Tem Nathan Fisher countered that if a Lowe's goes in there that would not work well due to how their parking lot would be set up.

Jared White said the topography gets difficult. The way the current owner laid it out, this was the best spot for him. This will also be galvanized steel.

Commissioner Diane Adams asked if this is across from multi family.

Jared White said it is across from office commercial.

Wes Jenkins added that it's commercial right across the street and then Mesa Falls behind that.

Jared White noted that we know our first option is industrial but we're already in most of them.

Chairman Pro Tem Nathan Fisher asked if they could get into the Millcreek Industrial Park.

Jared White said in the next five years we're going to need another tower up there. We don't want to create island sites. We like to build off and step from other towers. We could build down from Washington but the demand is greater here.

Assistant City Attorney Victoria Hales repeated the legal standard and concerns about following federal law about not prohibiting services and not regulating due to concerns about radio frequency. Height, location, and look are appropriate items to look at.

Chairman Pro Tem Nathan Fisher asked if there are any collocating opportunities around there.

Jared White responded not with the height.

Chairman Pro Tem Nathan Fisher asked if an 80' tower would be sufficient.

Jared White said if you want us to we can build 80' but it's not as collocate-able and wouldn't give us as much coverage as we need.

Chairman Pro Tem Nathan Fisher asked if someone would collocate here.

Jared White said as this develops more it is highly likely that this tower will collocate.

Commissioner Diane Adams asked the applicant if there are statistics on how many towers are collocated.

Jared White said I don't have the numbers but most towers have at least two carriers.

Commissioner Diane Adams noted that if most towers have two than they could do the 80'.

Jared White said 80' won't reach as far. If you allow two, 100' towers than we don't need three, 80' towers. Every lease we have has an exit clause that if technology changes we can remove the tower and restore the ground.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 4D for the cell tower and include staff comments and the findings noting that 100' maximum height and monopole style is consistent with the master plan and aesthetics as discussed.

SECONDED: Commissioner Todd Staheli seconded the motion.

AYES(5)

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion

ADJOURN

MOTION: Commissioner Todd made a motion to adjourn.

SECONDED: Commissioner Diane seconded the motion.

AYES(5)

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Meeting adjourned at 6:58 pm.